

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ROY B. RAY, JR.,

Plaintiff,

VS.

UNITED STATES DEPARTMENT
OF HOMELAND SECURITY,

Defendant.

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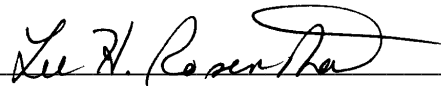
CIVIL ACTION NO. H-07-2967

FINAL JUDGMENT

On August 7, 2008, this court entered an Memorandum and Order dismissing Ray's claims but granting him leave to amend by August 25, 2008. Ray did not file an amended complaint. At a hearing held on September 24, 2008, Ray's counsel asserted that he did not believe he could do so, consistent with Rule 11, FRCP, and the requirements of the applicable substantive law. Accordingly, this case is dismissed.

This is a final judgment.

SIGNED on September 25, 2008, at Houston, Texas.



Lee H. Rosenthal
United States District Judge